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| 09/966,829 | 09/28/2001 | David B. Kumhyr | AUS920010400US1 | 5006 |

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EXAMINER

FLEURANTIN, JEAN B

| ART UNIT | PAPER NUMBER |
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2172

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/966,829

Applicant(s)

KUMHYR ET AL.

Examiner

Jean B Fleurantin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7,8,11-19,21-23 and 26-30 is/are rejected.
- 7) ☒ Claim(s) 2-6,9,10,20,24,25 and 31-33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the application filed on September 28, 2001, in which claims 1-33 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement (IDS) file on 10/08/01 (Paper No. 4) complies with the provisions of M.P.E.P. 609. It has been placed in the application file. The information referred to therein has been considered as to merits. (See attached form).
3. The Miscellaneous filed on 10/30/01 (Paper No. 2) has been entered.

Drawings

4. The drawings filed on December 17, 2001 are approved by the Draftsperson under 37 CRF 1.84 or 1.152 as indicated in the "Notice of Draftsperson's Patent Drawing Review," PTO-948.

Specification

5. The abstract of the disclosure is objected to because TITLE of the invention should not be in the same page as the Abstract (page 34). Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 27, 28 and 29 are rejected under 35 U.S.C. 102(e) as being by U.S. Patent No. 6,584,466 issued to Serbinis et al. (“hereinafter Serbinis”).

As per claim 27, Serbinis discloses “a computer-usable carrier medium” an Internet based document management method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), “comprising a data structure storing multiple sets of participant identifiers” as user information tables 62 contain user information (registered) including user ID and password and user notification information (see col. 6, lines 35-39), “each effective to identify a potential participant in a computer-based communications session” as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials (see col. 18, lines 29-30; col. 17, lines 24-25) “to each of multiple communications applications available for use in the communications session” as computers connect to server computer 20, in which dispatches notifications, via voice message, e-mail, pagers to users of document management services system 17 concerning the status of documents stored in the document management services system, (col. 5, line 63 to col. 6, line 1).

As per claim 28, Serbinis discloses, "wherein the data structure further stores role or permission information corresponding to each potential participant" as computers connect to server computer 20, in which dispatches notifications, via voice message, e-mail, pagers to users of document management services system 17 concerning the status of documents stored in the document management services system, (col. 5, line 63 to col. 6, line 1).

As per claim 29, Serbinis discloses, "wherein the data structure comprises an object or class in an object-based programming approach, and each set of participant identifiers is within a respective additional object" as the file system may assign a unique name to each document and the document stored directly on the hard drive, (see col. 5, lines 59-62).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 7, 8, 11-19, 21-23, 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,584,466 issued to Serbinis et al. ("hereinafter Serbinis").

As per claim 1, Serbinis discloses "a method of establishing a computer-based communication session involving a user of a computer" an Internet based document management

method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), said method comprising:

“receiving from the user notification of a desired participant in the communication session” as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials, (see col. 18, lines 29-30; col. 17, lines 24-25);

“retrieving a participant identifier effective to identify the desired participant to the desired communications application” as a means of attempting to retrieve the file must provide the same information to permit the document management services system to generate the session key, (see col. 11, lines 16-18);

“and providing the retrieved participant identifier to the communications application” as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents, (see col. 12, lines 60-64). Serbinis does not explicitly disclose a desired communications application to be used for the session. On the other hand, Serbinis discloses users initiate user sessions to retrieve the document, including any specified automatic or user selected filtering requested for the document, for example, electronically distribute a copyrighted book, permitting users who pay for the book to access and download the book, (see col. 10, lines 49-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Serbinis with a desired communications application to be used for the session. Such modification would allow the teachings of Serbinis to provide an Internet based document management system and methods that permit users to

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access a plurality of services supported by a common Internet based database, (see col. 2, lines 16-19).

As per claim 7, Serbinis discloses, “wherein said retrieving comprises accessing a data structure storing the participant identifier” as user information tables 62 have entries for information relating to users registered to access and use the document management services system, in which including user ID and passwords, (see col. 6, lines 35-38).

As per claim 8, Serbinis discloses, “wherein said receiving comprises receiving required participant permission or role information, and wherein said retrieving further comprises verifying participant or role information stored in the data structure” as database 25 includes a plurality of tables, in which each table includes information on a document’s parent document group, and information on the transport method to be used for retrieval of a document instance, (see col. 6, lines 20-34).

As per claim 11, Serbinis discloses, “the method further comprising retrieving a user identifier appropriate to identify the user to the desired communications application”, (see col. 6, lines 35-38).

As per claim 12, Serbinis discloses, “the method further comprising retrieving a password effective to allow access of the user to the desired communications application” as user information tables 62 have entries for information relating to users registered to access and use

the document management services system, in which including user ID and passwords, (see col. 6, lines 35-38).

As per claim 13, Serbinis discloses “a system for computer-based communications” an Internet based document management method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), comprising:

“means for receiving, from a user of a computer, notification of a desired participant in a communications session” as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials, (see col. 18, lines 29-30; col. 17, lines 24-25);

“means for retrieving a participant identifier appropriate to identify the desired participant to the desired communications application” as a means of attempting to retrieve the file must provide the same information to permit the document management services system to generate the session key, (see col. 11, lines 16-18); and

“means for providing the retrieved participant identifier to the communications application” as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents, (see col. 12, lines 60-64). Serbinis does not explicitly disclose a desired communications application to be used for the session. On the other hand, Serbinis discloses users initiate user sessions to retrieve the document, including any specified automatic or user selected filtering requested for the document, for example, electronically distribute a copyrighted book, permitting users who pay for the book to access and

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download the book, (see col. 10, lines 49-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Serbinis with a desired communications application to be used for the session. Such modification would allow the teachings of Serbinis to provide an Internet based document management system and methods that permit users to access a plurality of services supported by a common Internet based database, (see col. 2, lines 16-19).

As per claim 14, Serbinis discloses, “wherein said means for receiving, means for retrieving and means for providing comprise a communications aggregation program stored on a storage medium within the system” as a plurality of services supported by a common database and document store, (see col. 3, lines 26-27).

As per claim 15, Serbinis discloses, “wherein the storage medium is within or accessible by the computer” as database 25 stores data concerning documents controlled by server computer 20, (see col. 5, lines 26-28).

As per claim 16, Serbinis discloses, “wherein the storage medium is within or accessible by an additional computer” as database 25 stores data concerning documents controlled by server computer 20, (see col. 5, lines 26-28).

As per claim 17, Serbinis discloses, “wherein the communications aggregation program is adapted to access a data structure including the participant identifier” as user information

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tables 62 have entries for information relating to users registered to access and use the document management services system, in which including user ID and passwords, (see col. 6, lines 35-38).

As per claim 18, Serbinis discloses, wherein the data structure is stored on or accessible by an additional computer” as database 25 stores data concerning documents controlled by server computer 20, (see col. 5, lines 26-28).

As per claim 19, Serbinis discloses, “wherein the communications aggregation program is further adapted to display on a display screen of the computer a graphical user interface including representations of multiple communications applications accessible using the computer and of multiple potential participants in a communications session” as a user enters information into a form displayed in a web browser, in which the information is transferred to server computer 20 using http and is made available to the programmed routines executing on server computer 20 through the common gateway interface, (see col. 5, lines 1-10).

As per claim 21, Serbinis discloses, “the system further comprising means for retrieving a user identifier appropriate to identify the user to the desired communications application” as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents, (see col. 12, lines 60-64).

As per claim 22, Serbinis discloses “a computer-usable carrier medium” an Internet based document management method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), comprising:

“first program instructions executable on a computer for receiving, from a first participant, notification of a desired additional participant in a communication session” as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials, (see col. 18, lines 29-30; col. 17, lines 24-25);

“second program instructions executable on the computer for retrieving a participant identifier appropriate to identify the desired additional participant to the desired communications application” as a means of attempting to retrieve the file must provide the same information to permit the document management services system to generate the session key, (see col. 11, lines 16-18);

“and third program instructions executable on the computer for providing the retrieved participant identifier to the communications application” as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents, (see col. 12, lines 60-64). Serbinis does not explicitly disclose a desired communications application to be used for the session. On the other hand, Serbinis discloses users initiate user sessions to retrieve the document, including any specified automatic or user selected filtering requested for the document, for example, electronically distribute a copyrighted book, permitting users who pay for the book to access and download the book, (see col. 10, lines 49-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to

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modify the teachings of Serbinis with a desired communications application to be used for the session. Such modification would allow the teachings of Serbinis to provide an Internet based document management system and methods that permit users to access a plurality of services supported by a common Internet based database, (see col. 2, lines 16-19).

As per claim 23, Serbinis discloses, “wherein the first, second and third program instructions are within a communications aggregation program stored on the carrier medium’ as computers connect to server computer 20, in which dispatches notifications, via voice message, e-mail, pagers to users of document management services system 17 concerning the status of documents stored in the document management services system, (col. 5, line 63 to col. 6, line 1).

As per claim 26, Serbinis discloses, “the carrier medium further comprising fourth program instructions executable on the computer for retrieving a first participant identifier appropriate to identify the first participant to the desired communications application” as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents, (see col. 12, lines 60-64).

As per claim 30, Serbinis discloses “a method of establishing a computer-based communication session involving a user of a computer” an Internet based document management method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), said method comprising:

“displaying, on a display screen of the computer, a graphical user interface including representations of multiple communications applications accessible with computer and representations of multiple potential participants in a communications session” as a user enters information into a form displayed in a web browser, in which the information is transferred to server computer 20 using http and is made available to the programmed routines executing on server computer 20 through the common gateway interface, (see col. 5, lines 1-10);

“receiving from the user notification of a desired participant in the communication session” as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials, (see col. 18, lines 29-30; col. 17, lines 24-25);

“retrieving a participant identifier effective to identify the desired participant to the desired communications application” as a means of attempting to retrieve the file must provide the same information to permit the document management services system to generate the session key, (see col. 11, lines 16-18);

“and providing the retrieved participant identifier to the communications application” as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents, (see col. 12, lines 60-64). Serbinis does not explicitly disclose a desired communications application to be used for the session. On the other hand, Serbinis discloses users initiate user sessions to retrieve the document, including any specified automatic or user selected filtering requested for the document, for example, electronically distribute a copyrighted book, permitting users who pay for the book to access and download the book, (see

col. 10, lines 49-54). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Serbinis with a desired communications application to be used for the session. Such modification would allow the teachings of Serbinis to provide an Internet based document management system and methods that permit users to access a plurality of services supported by a common Internet based database, (see col. 2, lines 16-19).

Allowable Subject Matter

8. Claims 2-6, 9, 10, 20, 24, 25 and 31-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record does not teach or suggest in combination with other elements, wherein said receiving comprises detecting selection of an icon within a graphical user interface displayed using the computer as recited in claim 2.

Claims 3-6 and 9-10 further limit the subject matter of claim 2.

The prior art of record does not teach or suggest in combination with other elements, wherein said representations comprise icons, and wherein the communications aggregation program is adapted to detect a combined selection of a first icon representing a desired communications application and a second icon representing a desired participant as recited in claim 20.

Claims 24 and 25 further limit the subject matter of claim 20.

The prior art of record does not teach or suggest in combination with other elements, wherein said receiving comprises detecting selection of an icon within the graphical user interface as recited in claim 31.

Claims 32 and 33 further limit the subject matter of claim 31.

9. The closest prior art, . Ebrahim U.S. Patent No. 5,859,639 relates to presentation of visible desktop objects in a graphical user interface. Reed et al. U.S. 5,862,325 relates to data communications systems. Lee et al. U.S. Patent No. 5,937,163 relates to communications networks. Serbinis et al. U.S. Patent No. 6,314,425 relates to apparatus and methods for use of access tokens in a system for managing electronic documents over open networks but fail to teach the above limitations.

Prior Art

10. The prior art of record and not relied on upon is considered pertinent to applicant's disclosure. Ebrahim U.S. Patent No. 5,859,639 relates to presentation of visible desktop objects in a graphical user interface. Reed et al. U.S. 5,862,325 relates to data communications systems. Lee et al. U.S. Patent No. 5,937,163 relates to communications networks. Serbinis et al. U.S. Patent No. 6,314,425 relates to apparatus and methods for use of access tokens in a system for managing electronic documents over open networks.

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean B Fleurantin whose telephone number is 703-308-6718. The examiner can normally be reached on 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. REENE JOHN E can be reached at (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Jean Bolte Fleurantin

2004-01-12